Amendments to the Drawings:

The attached TWO sheets of drawings include changes to Fig. 4 and Fig. 6. These TWO sheets replace the original sheet including Fig. 4 and Fig. 6. (Notably, the acronym "ADA" in the text relating to Ref. 424 and Ref. 426 has been clarified to read "CADM". There is sufficient support in the specification for this amendment. Thus, no new matter has been added to the application.)

Attachment: TWO Replacement Sheets

REMARKS

The Non-Final Office Action of October 13, 2006 has been carefully reviewed and these remarks are responsive thereto. Reconsideration and allowance of the instant application is respectfully requested in view of the remarks presented in this response.

Claims 1-12 and 15-34 were pending in this application. The Office Action rejected claims 1-12 and 15-34. No claims have been amended or added/cancelled in this response. No new matter has been added.

Substitute Drawings Submitted

Applicants have submitted two replacement drawing sheets addressing the Examiner's concerns regarding figures 4 and 6. Applicant respectfully requests Examiner to indicate that the clarified figures are now in condition for acceptance.

Claim Rejections Under 35 USC §103

Claims 1-5, 7-8, 10-12, 16, 18-19, 21-26 and 28-34 are rejected under 35 U.S.C. 103(a) as being allegedly unpatentable over Rowley (U.S. Patent 5,999,740), in view of Gardner III et al (hereafter Gardner) (U.S. PG Pub 20040068724).

Examiner submits that "Rowley does not specifically teach retrieving/transmitting in a browser independent manner the link to an application descriptor for a respective application to the client device." Office Action dated 10/13/2006, p. 4. However, Examiner purports that the knowledge of one of ordinary skill in the art at the time of the invention was sufficient to overcome the deficiencies in Rowley. Specifically, Examiner states that "the teaching of Rowley provides the client access to the descriptors (i.e., manifest file) and making use [sic] of the descriptors in choosing application files to download ... because the link/access to the manifest file facilitates the downloading of applications or application files." Office Action dated 10/13/2006, p. 4 (citation omitted). Applicant respectfully disagrees with Examiner's interpretation of Rowley, among other things.

First, Examiner inaccurately equates the providing of a client with mere access to a manifest file facilitating the downloading of applications or application files to be the same as "retrieving for each available application … a link to an application descriptor for the respective application." In view of Examiner's explanation regarding claim 7 (*see* Office Action dated 10/13/2006, p. 6), it appears that Examiner appreciates that a link to an application descriptor for a respective application provides, *inter alia*, "a location of the information requested to avoid the overhead of having to locate the application when requested." Therefore, it follows that "a link to an application descriptor for the respective application, " as claimed, requires more than merely providing access to a manifest file, as Examiner purports in his reasoning for the rejection of the aforementioned claims. The link to an application descriptor for a respective application may include, for example (as claimed in claim 7), a uniform resource locator or uniform resource identifier. Therefore, the references, and the combination thereof, cited by Examiner fail to disclose, teach, or suggest all the features of the aforementioned claims.

Second, Applicant submits that Examiner is impermissibly using Applicant's own invention as the motivation to combine Rowley with the alleged knowledge of one of an ordinary skill in the art at the time of the invention. Examiner may not use impermissible hindsight as a motivation to combine deficient teachings. Only after reviewing Applicant's disclosure would one of ordinary skill in the art be motivated to "retriev[e] for each available application … a link to an application descriptor for the respective application," as claimed in aforementioned claims.

Therefore, Applicant respectfully requests Examiner to withdraw rejection of the aforementioned claims, all their dependent claims, and any other related claims, and indicate those claims as allowable.

Claims 6 and 20 are rejected under 35 U.S.C. 103(a) as being allegedly unpatentable over Rowley and Gardner as applied to claims 1 and 16, above, further in view of Ims et al (hereafter Ims) (U.S. Patent 6,665,867).

Dependent claims 6 and 20 (which depend from claims 1 and 16, respectively) are allowable for at least the same reasons as provided above for their parent claims. In addition, Examiner submits Ims in an attempt to overcome the deficiencies of Rowley in view of Gardner with regards to the claimed feature: "wherein the at least one server computer comprises at least

one application server coupled to the client device via at least one network server" (claim 6). However, as explained, *supra*, Rowley in view of Gardner fail to teach all features of independent claims 1 and 16 (from which claims 6 and 20 depend). Moreover, Examiner does not purport to overcome the deficiencies of Rowley in view of Gardner with regards to the independent claims with the use of Ims. Therefore, Applicant respectfully requests the Examiner to indicate claims 6 and 20 as allowable for at least the same aforementioned reasons.

Claims 9, 15, 17 and 27 are rejected under 35 U.S.C. 103(a) as being allegedly unpatentable over Rowley and Gardner as applied to claims 8, 16 and 26 above, in view of Applicant Admitted Prior Art (hereafter AAPA).

Dependent claims 9, 15, 17, and 27 are allowable for at least the same reasons as provided above for their parent claims. As explained, *supra*, Rowley in view of Gardner fail to teach all features of the independent claims (from which claims 9, 15, 17, and 27 depend). Moreover, Examiner does not purport to overcome the deficiencies of Rowley in view of Gardner with regards to the independent claims with the use of ÁAPA. Therefore, Applicant respectfully requests the Examiner to indicate claims 9, 15, 17, and 27 as allowable for at least the same aforementioned reasons.

Claim 8 is rejected under 35 U.S.C. 103(a) as being allegedly unpatentable over Gardner III et al (hereafter Gardner) (U.S. PG Pub 20040068724).

Although Examiner, earlier in the pending Office Action dated 10/13/2006, rejected independent claim 8 under 35 U.S.C. § 103 as being unpatentable over Rowley in view of Gardner, Examiner asserts additional grounds for rejecting claim 8. Applicant respectfully submits that Examiner's arguments appear to impermissibly use Applicant's own invention as the motivation to combine Gardner with the alleged knowledge of one of an ordinary skill in the art at the time of the invention. Examiner may not use impermissible hindsight as a motivation to combine deficient teachings. Only after reviewing Applicant's disclosure would one of ordinary skill in the art be motivated to "generate by the client device in a wireless browser

independent manner an initiation request for information ...." Therefore, Applicant respectfully requests Examiner to withdraw this rejection of the claim 8 and indicate the claim as allowable.

CONCLUSION

In view of the above amendments and remarks, reconsideration of all pending claims in the application is respectfully requested. All rejections having been addressed, Applicants respectfully submit that the application is in condition for allowance and respectfully request prompt notification of the same.

The Commissioner is authorized to debit or credit our Deposit Account No. 19-0733 for any fees due in connection with the filing of this response.

If the Examiner should have any questions, the Examiner is invited to contact the undersigned at the number set forth below.

Respectfully submitted,

Date: February 13, 2007

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